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6 UNITED STATES DISTRICT COURT FOR THE
7 WESTERN DISTRICT OF WASHINGTON
8 AT SEATTLE

9 HOLLY REIN,

10 *Plaintiff,*

11 v.

12 THRIFTY PAYLESS, INC., d/b/a RITE
13 AID PHARMACY, and RITE AID LEASE
14 MANAGEMENT COMPANY, d/b/a RITE
15 AID,

16 *Defendants,*

17 THRIFTY PAYLESS, INC., d/b/a RITE
18 AID PHARMACY, and RITE AID LEASE
19 MANAGEMENT COMPANY, d/b/a RITE
20 AID,

21 *Third-Party Plaintiffs,*

22 v.

23 DURO HILEX POLY, LLC, a Delaware
24 corporation,

25 *Third-Party Defendant)*

CASE NO. 2:19-cv-00522-BJR


POST-PRETRIAL CONFERENCE
ORDER

On June 2, 2021, the Court held the Pretrial Conference in this matter via Zoom. Counsel
for all Parties were present. The Court ordered as follows:

- 1 1. Defendants/Third-Party Plaintiffs Thrifty Payless, Inc. and Rite Aid Lease
2 Management Company's (collectively, "Rite Aid") Motion to Continue Trial, Dkt. No.
3 121, is DENIED. The Zoom trial in this matter shall proceed as scheduled on June 21,
4 2021 beginning at 8:30 a.m. Pacific Time.
- 5 2. Rite Aid's Motion to exclude testimony regarding hypotheticals is DENIED. Dkt. No.
6 107.
- 7 3. Rite Aid's Motion to exclude testimony regarding financial status or ability to pay of
8 either party is GRANTED. *Id.*
- 9 4. Rite Aid's Motion to exclude any reference to insurance is GRANTED. *Id.*
- 10 5. Rite Aid's Motion to exclude lay witnesses during trial is GRANTED. *Id.*
- 11 6. Rite Aid's Motion to exclude all arguments of "punishment," "sending a message," and
12 Golden Rule arguments is GRANTED. *Id.*
- 13 7. Plaintiff's Motion to preclude the Defendants or Third-Party Defendant from arguing
14 or presenting evidence at trial as to Plaintiff's failure to mitigate damages or Plaintiff's
15 contributory negligence is DENIED. Dkt. No. 108.
- 16 8. Plaintiff's Motion to preclude the Defendants or Third-Party Defendants from arguing
17 or presenting evidence at trial regarding Plaintiff's termination from her last position is
18 DENIED. Dkt. No. 110.
- 19 9. Plaintiff's objection to Rite Aid's introduction of Plaintiff's Termination Letter as an
20 exhibit is OVERRULED. Dkt. No. 116 at 14.
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1 SO ORDERED.

2 DATED this 3rd day of June, 2021.

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5 BARBARA J. ROTHSTEIN
6 UNITED STATES DISTRICT JUDGE
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